

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Panchayat Services – Sri R.Victor, Senior Assistant, O/o DPO, Krishna – Request for notional promotion to the post of E.O. (Pts) and Divisional Panchayat Officer on par with his junior Sri K.P.Chandra Sekhar, DIPO – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (E.VIII) DEPARTMENT

G.O.Rt.No. 979

Dated.25-06-2011.

Read the following:

1. From Sri R.Victor, Sr. Asst., O/o DPO, Krishna representation dated.25-03-2010 along with orders of APAT in O.A.No.7803/2010 dt.15-03-2010.
2. From the Commissioner, PR & RE, Hyderabad, Lr.No.16056/ CPR&RE/G1/2007, Dt.17-05-2010 & 24-03-2011.
3. Government Memo No.7330/E.VIII/A1/2010, Dt.28-04-2011.
4. From the Commissioner, PR & RE, Hyderabad Lr.No.16056/ CPR&RE/ G1/2007, Dt.13-05-2011 & 06-06-2011.

O R D E R:

In the representation 1st read above, Sri R.Victor, Sr. Asst, O/o DPO, Krishna has submitted that he has approached the APAT to count his seniority w.e.f. the date of his initial appointment on 25-07-1984 in the cadre of J.A., duly taking into consideration of G.O.Ms.No.1463, Dt.15-09-1993. The Hon'ble APAT has allowed his OA and he is entitled for counting the seniority w.e.f. 25-07-1984 with all consequential benefits treating his transfer to DPO unit on administrative grounds. Based on the directions of the Court, his seniority was restored in the cadre of J.A. & S.A. During the pendency of the above issue, his juniors Sri K.P. Chandra Sekhar and others were promoted as E.O.(Pts) ignoring him in spite of favourable orders of Courts. In spite of reviewing and restoration of his seniority, his case was not considered for promotion on par with his juniors. He has filed O.A.No.7803/2007 to consider his case for promotion notionally on par with his juniors with all consequential benefits. During the pendency of the case, one Sri K.P.Chandra Sekhar was further promoted as DIPO vide proceedings dt.18-02-2010. He has requested the Government to consider his case duly implementing the orders of APAT in O.A.No.7803/2007 dt.15-03-2010 for notional promotion to the post of E.O. (Pts) & DIPO on par with his junior Sri K.P.Chandra Sekhar.

2. The Commissioner, PR & RE, Hyderabad in her letters 2nd read above has reported that Sri R.Victor was initially appointed as J.A. in ZPP of Krishna Dist. Consequent of setting up of Mandal System, the Government vide G.O.Ms.No.504, Dt.19-06-1987 have transferred one post of J.A. & one post of Attender (attached to E.O.(Pts)) to DPO unit from ZPP unit. Basing on the option exercised by Sri R.Victor, he was transferred to DPO unit in the year 1987. Sri R.Victor, while working as JA, has filed O.A.No.5280/1995 in APAT on the confirmed seniority list of JAs issued in proceedings dt.22-6-1994. The APAT in its judgement dt.25-6-1998 has directed the respondents to revise the seniority of Sri R.Victor treating the transfer from ZP unit to DPO unit as transfer on administrative grounds and issue revised orders of seniority of the applicant after giving opportunity to the affected parties. Based on the directions, confirmed seniority list of Sr. Asst. in Zone.II has been issued vide proceedings dt.29-05-2001. As per the confirmed seniority list of SA issued in proceedings dt.29-5-2001, the name of Sri R. Victor

stands at Sl.No.22, Sri K.Venkatappaiah and Sri K.P.Chandra Sekhar stands at Sl. Nos (23) and (24) respectively. Consequent on dismissal of OA No.1134/2001 filed by one Sri J.V.S.S. Sarma, who is at Sl. No.1 in the above seniority list, the seniority list of Sr. Assts was again revised vide Proc. Dt.16-02-2006. In the said seniority list also, Sri Victor is senior to K.P.Chandra Sekhar.

3. She has reported that in the light of the orders issued by the Hon'ble A.P.A.T.,Hyderabad in O.A. No. 2903/2005 filed by Sri J.V.S.S.Sarma, DIPO, Rajamundry the seniority list of Senior Assistants working in Zone- II was again revised and zonal provisional seniority list of Senior Assistants in Zone-II was communicated vide Memo.No.25141/G2/2000 Dt.27.07.2010. In the above said provisional seniority list also Sri R.Victor stands at Sl. No.(15) and Sri K.Venkatappaiah and Sri K.P.Chandra Sekhar stands at Sl. Nos (16) and (17) respectively.

4. The Commissioner has further reported that Sri R.Victor has submitted several representations requesting to consider his case for promotion on par with his juniors. Since several court cases were filed on the seniority list of Sr. Assts of DPO unit in Zone.II, his case was not considered for promotion on par with his juniors.

5. Aggrieved by the above, Sri R.Victor has filed O.A.No.7803/2007 and the Hon'ble APAT has issued the following order.

"In light of the above circumstances the official respondents are directed to give notional promotion to the applicant to the post of AO on par with his juniors by reviewing the promotions already made in pursuance of the final seniority list and extend the consequential benefits to the applicant."

6. The Commissioner, PR & RE, Hyderabad has submitted that Sri R.Victor has requested the Government to consider his case for notional promotion to the post of EO (Pts) w.e.f. 1997 and regular promotion as DIPO w.e.f. 25-02-2010 with all consequential benefits. In view of the request of the individual to consider him for notional promotion to the post of E.O. (Pts) and DLPO, she has requested the individual to give his option as per Rule 6 (h) of A.P. State and Subordinate service Rules, 1996 as the post of Administrative Officer, O/o District Panchayat Officer and the post of Extension Officer (Pts) are the promotional channels for the post of Senior Assistants working in District Panchayat Officer unit. Accordingly Sri R.Victor, Senior Assistant, O/o District Panchayat Officer, Krishna has submitted a representation on 24.01.2011 duly requesting to consider his case for notional promotion for the post of Divisional Panchayat Officer on par with his junior Sri K.P.Chandrasekhar.

7. While enclosing the original records, the Commissioner has requested the Government to issue necessary orders regarding consideration of Sri R.Victor, SA, O/o DPO, Krishna for notional promotion to the post of E.O.(Pts) and DIPO on par with his junior Sri K.P. Chandra Sekhar.

8. After examination of the proposals, the Government have issued instructions to the CPR & RE, Hyderabad to issue show cause notice to all the affected persons giving (7) days time to file objections, if any, and furnish the same to the Government for taking further action.

9. The Commissioner in her letter 4th read above has reported that show-cause notices were issued to (8) affected persons and (4) of them have filed objections. The Commissioner, PR & RE, Hyderabad in her remarks has reported that in both the seniority lists of Sr. Assts., of Zone.II, Sri R.Victor stands over and above to Sri K.Venkatappaiah and Sri K.P.Chandra Sekhar and the objections of the individuals need not be considered. With regard to the objection of Sri K.Venkatappaiah, she has reported that a charge memo was issued to the individual and the individual was also reverted as Sr. Asst and he is continuing as E.O. PR&RD, Grade.I as per the APAT orders. Hence the objection of the individual need not be considered. She has requested the Government to issue necessary orders in the matter.

10. After careful examination of the matter, the Government hereby promote Sri R.Victor, notionally with all consequential benefits in the cadre of Extension Officer (Pts) w.e.f. 03.10.1997 and promotion as Divisional Panchayat Officer w.e.f. 18-02-2010 on par with his junior Sri K.P.Chandra Sekhar, DIPO, Peddapuram, E.G. Dist.

11. Sri R.Victor, is informed that the notional promotion ordered in para-10 above is purely temporary and subject to Review/ Revision/ Reversion at any time without notice and without assigning any reasons therefor and also subject to outcome of O.A.s/ W.P.s/ RPs/CAs/SLPs and appeals including fixation of seniority, if any, pending.

12. The individual is eligible for consequential benefits from retrospective effect and the notional revision of pay shall be made as per F.R. 26 (a) (a) according to which monitory benefit will be allowed only for the period during which the individual has actually discharged duties in the promotion post.

13. The Commissioner, PR & RE, Hyderabad shall take necessary action accordingly with immediate effect and report compliance.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

Dr. RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, PR & RE, Hyderabad,
The individual through Commissioner, PR & RE, Hyderabad
The District Collector (PW), Krishna District,
The District Treasury Officer, Krishna District,
The District Panchayat Officer, Krishna District
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.